

Message Text

SECRET

PAGE 01 USUN N 03400 240035Z

54

ACTION DLOS-06

INFO OCT-01 EUR-12 IO-13 ISO-00 FEA-01 ACDA-07 AGR-05

AID-05 CEA-01 CEQ-01 CG-00 CIAE-00 CIEP-01 COME-00

DODE-00 DOTE-00 EB-07 EPA-01 ERDA-05 FMC-01 TRSE-00

H-02 INR-07 INT-05 JUSE-00 L-03 NSAE-00 NSC-05 NSF-01

OES-06 OMB-01 PA-01 PM-04 PRS-01 SP-02 SS-15 USIA-06

SAL-01 AF-08 ARA-06 EA-07 NEA-10 /158 W

----- 097681

P 232355Z AUG 76

FM USMISSION USUN NY

TO SECSTATE WASHDC PRIORITY 8826

INFO AMEMBASSY MOSCOW

S E C R E T USUN 3400

E.O. 11652: GDS

TAGS: PLOS

SUBJECT: LOS CONFERENCE - OUTSTANDING US-USSR ISSUES IN
COMMITTEE I

1. U.S. COMMITTEE I REP. RATINER MET MORING OF AUG. 20
WITH SOVIET DEL. YURI KAZMIN FOR PREPARATORY DISCUSSION OF
DIFFERENCES BETWEEN U.S. AND USSR IN C-I. FOLLOWING ARE MAIN
POINTS:

2. QUOTA. THE SOVIETS HAVE GIVEN UP THEIR INSISTENCE ON
AN EQUAL QUOTA SYSTEM APPLYING TO ALL STATES. (PAST
SOVIET POSITIONS REQUIRED THAT NO ONE STATE OBTAIN
RIGHTS TO MORE MINE SITES THAN ANY OTHER STATE.) THEY FEEL
THAT THE FRENCH QUOTA PROPOSAL, WHICH WAS INTRODUCED AT THE
GROUP OF FIVE MEETING IN LONDON, IS A GOOD APPROACH, BUT
THAT THE PERCENTAGE LIMITATIONS IN THAT PROPOSAL ARE TOO
HIGH. (THE FRENCH PROPOSAL INCLUDES A 20 PERCENT LIMIT ON THE
DEEP SEABED AREA FOR ANY ONE STATE WITHIN A 500,000 SQUARE

SECRET

SECRET

PAGE 02 USUN N 03400 240035Z

KILOMETER BLOCK AND ALSO A 35 PERCENT LIMITATION ON ANY STATE IN

RESPECT OF THE TOTAL AMOUNT OF SEABED PRODUCTION.) THE SOVIETS STRESSED THAT THEY WANT TO BE SURE THAT THERE IS A LIMITATION ON BOTH THE NUMBER OF CONTRACTS AWARDED ANY ONE STATE AND THE PERCENTAGE OF THE AREA WHICH IT CAN EXPLOIT. HOWEVER, THEY NOTED THAT, AS A PRACTICAL MATTER, BOTH LIMITATIONS COULD BE EXPRESSED IN TERMS OF A LIMIT ON THE NUMBER OF CONTRACTS. WHEN QUESTIONED ABOUT THE COMMENT KOZYREV MADE TO THE SECRETARY ABOUT A QUOTA BASED ON CONSUMPTION NEEDS, KAZMIN APPEARED NONCOMMITTAL AND ALMOST UNAWARE OF THE CONCEPT. THE SOVIETS STATE THAT THEIR MAIN MOTIVATION IN SUPPORTING A QUOTA IS TO PREVENT A FORECLOSURE OF FUTURE RESOURCE OPTIONS, I.E., THEY WANT TO PROTECT THE OPTION OF EVENTUALLY CARRYING OUT OCEAN MINING. HOWEVER, THEY ALSO ACKNOWLEDGED THAT THEY WANT TO PREVENT UNQTE GEOPOLITICAL DOMINATION OF THE DEEP SEABED.

3. TRIBUNAL. THE SOVIETS ACKNOWLEDGED THAT THEY AT ONE TIME AGREED TO THE PERMANENT TRIBUNAL AND SEABED DISPUTE SETTLEMENT PROVISIONS CONTAINED IN THE US BOOK OF AMENDMENTS OF DECEMBER 1975. HOWEVER, IN VIEW OF THE UK AND FRENCH DEFECTION FROM THAT POSITION, THE SOVIETS BELIEVE THEY SHOULD NOW HAVE THE FREEDOM TO SUPPORT THE FRENCH AND BRITISH APPROACH. (WHILE THE SOVIETS CAN CONTINUE TO SUPPORT A PERMANENT SEABED TRIBUNAL, THEY WANT TO HAVE ARBITRATION AS THE CHIEF MEANS OF DISPUTE SETTLEMENT.) KAZMIN WAS UNABLE TO SAY WHETHER THE SOVIETS WOULD SUPPORT THE US POSITION ON THE TRIBUNAL, IF THE UK AND FRANCE RETREATED FROM THEIR SUPPORT FOR ARBITRATION.

4. COUNCIL. THE SOVIETS WILL NOT SUPPORT THE US PROPOSAL FOR ARTICLE 27 BECAUSE THEY BELIEVE IT IS DISCRIMINATORY, WILL KEEP MOST COUNTRIES OFF THE COUNCIL, AND OFFERS NO OPPORTUNITY FOR MOST NATIONS OF THE WORLD TO PARTICIPATE IN COUNCIL DECISIONS. ALSO, THEY OPPOSE OUR ARTICLE BECAUSE WEIGHTED VOTING IS TIED TO THE FOUR METALS FOUND IN MANGANESE NODULES. (THEY BELIEVE IT IS UNREALISTIC TO EXCLUDE OTHER MINERALS WHICH MAY BE FOUND IN THE DEEP SEABED.) ADDITIONALLY, THEY DO NOT

SECRET

SECRET

PAGE 03 USUN N 03400 240035Z

BELIEVE THAT OUR ARTICLE WILL BE NEGOTIABLE. KAZMIN ALSO INDICATED THAT THE SOVIETS WOULD NEVER AGREE TO ANY SYSTEM THAT ALLOWED INTERNATIONAL VERIFICATION OR CHALLENGE OF THEIR PRODUCTION AND CONSUMPTION STATISTICS. HE DID AGREE, HOWEVER, TO LOOK INTO THOSE CASES WHERE THE SOVIETS MAY HAVE AGREED TO THIS IN THE PAST. THE SOVIET POSITION ON THE COUNCIL IS TO ASSURE TO SOCIALIST STATES THE GREATEST NUMBER OF SEATS POSSIBLE,

AND THEY SEEM TO BE COUNTING ON THE SUPPORT OF OTHER INDUSTRIALIZED STATES TO BLOCK COUNCIL ACTION. WHEN QUERIED, KAZMIN DEMONSTRATED THAT THE SOVIETS AND GIVEN LITTLE THOUGHT TO THE POSSIBILITY THAT THE INDUSTRIALIZED COUNTRIES MIGHT NOT ACT AS A UNIT ON ALL COUNCIL DECISIONS AND THAT THE SOVIET POSITION, THEREFORE, DID NOT GUARANTEE BLOCKING ABILITY. HE AGREED TO THINK ABOUT WHETHER THE SOVIET POSITION ON THE COUNCIL (APPARENTLY A COMPOSITIONAL REQUIREMENT OF SIX SOCIALIST STATES, COMBINED WITH A 2/3 VOTING MAJORITY) EFFECTIVELY PROTECTED SOVIET INTEREST IN BLOCKING.

5. PROVISIONAL APPLICATION. KAZMIN EXPLAINED THAT THE SOVIETS WOULD NOT ACCEPT PROVISIONAL APPLICATION FOR PART I OF THE TREATY. RATINER NOTED THAT OUR POSITIONS PROBABLY WERE IN AGREEMENT, SINCE MOST COUNTRIES ASSUMED THAT, IF THE TREATY WERE PROVISIONALLY APPLIED, IT WOULD BE IN ITS ENTIRETY.

6. GENERAL. IN RESPONSE TO RATINER'S QUESTION OF WHAT WAS A MINIMUM ACCEPTABLE PACKAGE FOR THE USSR IN COMMITTEE I, KAZMIN LISTED THE FOLLOWING POINTS:

-- GUARANTEED RIGHT OF STATES TO EXPLOIT THE DEEP SEABED.

-- FREEDOM OF SCIENTIFIC RESEARCH.

-- NO POWER OF THE AUTHORITY TO LOOK INTO INTERNAL MATTERS OF STATES (I.E., THAT STATES WOULD BE PRESUMED TO POSSESS REQUISITE FINANCIAL AND TECHNOLOGICAL QUALIFICATIONS FOR CONTRACTS.)

-- AN ACCEPTABLE DEFINITION OF ACTIVITIES IN THE AREA.

SECRET

SECRET

PAGE 04 USUN N 03400 240035Z

SCRANTON

SECRET

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LAW OF THE SEA, REPORTS, DIPLOMATIC DISCUSSIONS, COMMITTEES
Control Number: n/a
Copy: SINGLE
Draft Date: 23 AUG 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: GolinoFR
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976USUNN03400
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760322-0527
From: USUN NEW YORK
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760827/aaaaaxnr.tel
Line Count: 156
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION DLOS
Original Classification: SECRET
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: SECRET
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: GolinoFR
Review Comment: n/a
Review Content Flags:
Review Date: 10 MAY 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <10 MAY 2004 by ElyME>; APPROVED <11 MAY 2004 by GolinoFR>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: LOS CONFERENCE - OUTSTANDING US-USSR ISSUES IN COMMITTEE I
TAGS: PLOS, US, UR
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006